

DESIGN REVIEW BOARD

January 9, 2009

7:30 a.m.

City Hall, Mayor and Council Chambers
255 West Alameda
Tucson, Arizona

STUDY SESSION

Statement of cases and distribution of materials with respect to items scheduled for regular meeting, including a general discussion of proposed revisions to the DRB's Rules and Regulations. Updates from City Attorney's Office.

Call to order

Roll call of DRB members:

Page Repp (Chair)

Brian Sager (Vice Chair)

John Anderson

Kacey Carleton

Bruce Dawson

Margaret Joplin

Henry Tom

Approval of minutes from December 19, 2008

NEW CASE

DRB-09-01 SNELLSTROM RESIDENCE ADDITION/R. SNELLSTROM, 10251 EAST DISCOVERY DRIVE, RX-2

The applicant's property is an 25,079 square foot lot developed with a single-family residence located on the northwest corner of east Discovery Drive and south Houghton Road (a Major Streets and Route (MS&R)). The applicant proposes to expand the residence with a two story addition comprised of a garage and additional living space. Tucson *Land Use Code (LUC)* Sections applicable to this project include, but are not limited to Section 2.3.3 providing design criteria for development in the RX-2 zone, Section 2.8.2. "Scenic Corridor Zone" (SCZ) et seq. which provides the SCZ regulations applicable to the project, and Section 2.8.3 which provides development criteria applicable to Major Streets and Routes. The applicant is requesting those variances necessary to modify natural buffer yard requirements and reduce the street yard requirements for the project as shown on the submitted site plan.

The Applicant's Request

The applicant is requesting the following variances:

- 1) Allow encroachment into the required thirty (30) foot wide natural buffer area adjacent to the Major Streets & Routes (MS&R) future right of way line, as shown on the submitted site plan.
- 2) Reduce the street perimeter building setback from sixty four feet six inches (64'6") to a five (5') feet, as measured from the future right of way, and as shown on the submitted site plan.

THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE APPLICANT'S PROPOSAL TO MODIFY MS&R and SCZ REQUIREMENTS FOR COMPLIANCE WITH THE FINDINGS SET FORTH IN *LAND USE CODE (LUC)* SECTION 5.1.7.3.B.1.A-G (SEE ATTACHMENT 'A') AND RECOMMENDS TO THE BOARD OF ADJUSTMENT (APPROVAL) (DENIAL), FINDING THE APPLICANT'S VARIANCE

**REQUESTS (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THESE FINDINGS
(SUBJECT TO THE FOLLOWING CONDITIONS).**

OTHER BUSINESS

A. 2009 DRB Meeting Schedule review and approval.

RND PRE-APPS

The purpose of the pre-app portion of the meeting is to allow potential Rio Nuevo and Downtown Zone (RND) applicants an opportunity for non-deliberative discussion with the DRB about the project and the RND process, prior to actual submittal of the application.

Adjourn

**YOU HAVE ANY QUESTIONS CONCERNING THIS DRB MEETING, PLEASE
CONTACT RUSSLYN WELLS AT (520) 837-4948.**

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ATTACHMENT A

LUC Section 5.3.3.1 Findings for Approval states the Board of Adjustment (B/A) may approve a variance request subject to the findings listed in Sec. 5.1.7.3.B.

SECTION 5.1.7.3.B “BOARD OF ADJUSTMENT FINDINGS”

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Land Use Code. The Board may grant a variance only if it finds the following:

- a. That, because there are special circumstances applicable to the property, strict enforcement of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
- b. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
- c. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
- d. That, because of physical circumstances or conditions, such as irregular shape, narrowness or shallowness of the lot, or exceptional topographic condition of the specific property, the property cannot reasonably be developed in conformity with the provisions of the Chapter.
- e. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- f. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
- g. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the LUC provisions which are in question.